

State Of Hawaii
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of State Parks
Honolulu, Hawaii

May 13, 2011

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

SUBJECT: Request for a Special Use Permit from the Rock Island Riders to use the Mauna Kea Recreation Area on Saddle Road, Hawaii, for the 2011 Mauna Kea 200

By correspondence dated January 27, 2011 (Exhibit A), Mr. Edwin Ung, Rock Island Riders coordinator for the Mauna Kea 200 Motorcycle and ATV Race, is requesting the use of portions of Mauna Kea State Recreation Area. The Mauna Kea 200 (Event) is a 165 mile cross country ride over minimally maintained trails and "jeep" roads, for 'street legal' motorcycles. There is an ATV race on the second day of the Event.

The courses for the Event are not within the Mauna Kea State Recreation Area itself, but the Rock Island Riders are requesting use of the Administration Building for the Event as an on location headquarters and the kitchen to heat up and serve pre-cooked food. Further, they are requesting parking locations as indicated on the attached map (Exhibit B). The areas requested for parking should not impact the general public's use of Mauna Kea State Recreation Area. The Event is to be held on Saturday May 28, 2011 and Sunday May 29, 2011.

The Mauna Kea 200 was first run in 1976 and was known as the Bicentennial 200, and involved about 20 participants. The name was changed to the Mauna Kea 200 a year later and has grown to what it is today. This year's Event is anticipated to have 400 participants. This race is traditionally held on Memorial Day Weekend.

No money will be collected at the Event, there will be no commercial activities on site and no alcohol will be served.

As reported in the letter from Mr. Ung, "We will have on hand off-duty police, an ambulance, and have had no problems ever." The off-duty police officers will aid in security and traffic control.

The schedule for the 2011 Event is as follows:

1. Set-up and preparation to take place on the afternoon of Saturday May 28, 2011;

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2. Sunday, May 29, 2011 at 5:00 a.m., will be the Event start time for the day. Breakfast will be served;
3. The cleanup for the Event and departure from Mauna Kea State Recreation Area will be by 5:00 p.m. May 29, 2011;

The submittal was transmitted to the Office of Hawaiian Affairs for their perusal.

Staff is recommending approval of the issuance of the Special Use Permit to the Rock Island Riders for the Mauna Kea 200 scheduled for May 28, 2011 and May 29, 2011. Staff is also recommending that the Chairperson or his representative be authorized to negotiate certain terms and conditions of the Special Use Permit, which shall include, but not be limited to, on-site security, maintenance and monitoring of area in use, hours and days of use, traffic control, clean-up and repair at the conclusion of the race.

State Parks has determined that this project will have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment under Chapter 343, Hawaii Revised Statutes (HRS) and Chapter 11-200, Hawaii Administrative Rules (HAR). This action falls within Exemption Class 1 under §11-200-8(a)(1), HAR and within Exemption Class 1, Number 2 and 6 of the State Parks Exemption List which exempts operations involving negligible or no expansion or change of use beyond that previously existed within park boundaries [February 5, 1976].

RECOMMENDATION:

That the Board approve the issuance of a Special Use Permit to the Rock Island Riders to utilize Mauna Kea State Recreation Area for the 2011 Mauna Kea 200 subject to the following conditions:

1. Permittee, its officers, agents, employees, volunteers, consultants, contractors, and/or persons acting for, or on its behalf, shall at all times with respect to the Mauna Kea SRA; a) use due care for public safety; b) agrees to release the State of Hawaii from any claims which Permittee might have against the State of Hawaii arising out of Permittee's occupation or use of the Mauna Kea SRA; and c) shall be responsible for its own acts;
2. The Permittee shall procure and maintain, at its own cost and expense, in full force and effect throughout the term of this Special Use Permit, commercial general liability insurance, in an amount of at least \$1,000,000.00 per occurrence and \$2,000,000.00 aggregate, with an insurance company or companies licensed to do business in the State of Hawaii. The policy or policies of insurance shall name the State of Hawaii as an additional insured.

The policy should also contain the following clause: "It is agreed that any insurance maintained by the State of Hawaii will apply in excess of, and not contribute with, insurance provided by this policy". The insurance shall cover the entire Mauna Kea SRA, including all grounds, buildings and all roadways on or adjacent to the Mauna Kea SRA in the use or control of the Permittee;

3. The Permittee shall immediately provide written notice to the Department should any of the insurance policies evidenced on its Certificate of Insurance form be cancelled, limited in scope, or not renewed upon expiration;
4. The Permittee shall pay a rental fee of one hundred dollars (\$100.00) per day for the Event and cleanup and for any State staff time that is required;
5. Staff is also recommending that the Board delegate to Chairperson the authority to approve future similar permits for events at the Mauna Kea State Recreation Area including all appropriate fees, terms, and conditions based on the pattern of previously approved permits;
6. The Chairperson or his representative is authorized to negotiate all other terms and conditions of the Special Use Permit;
7. That the Board find the activity will have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment under Chapter 343, Hawaii Revised Statutes (HRS) and Chapter 11-200, Hawaii Administrative Rules (HAR).

Respectfully submitted,



Daniel S. Quinn
State Parks Administrator

APPROVED FOR SUBMITTAL:



WILLIAM J. AILA, Chairperson



ROCK ISLAND RIDERS

P.O. Box 1072

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808-966-4608

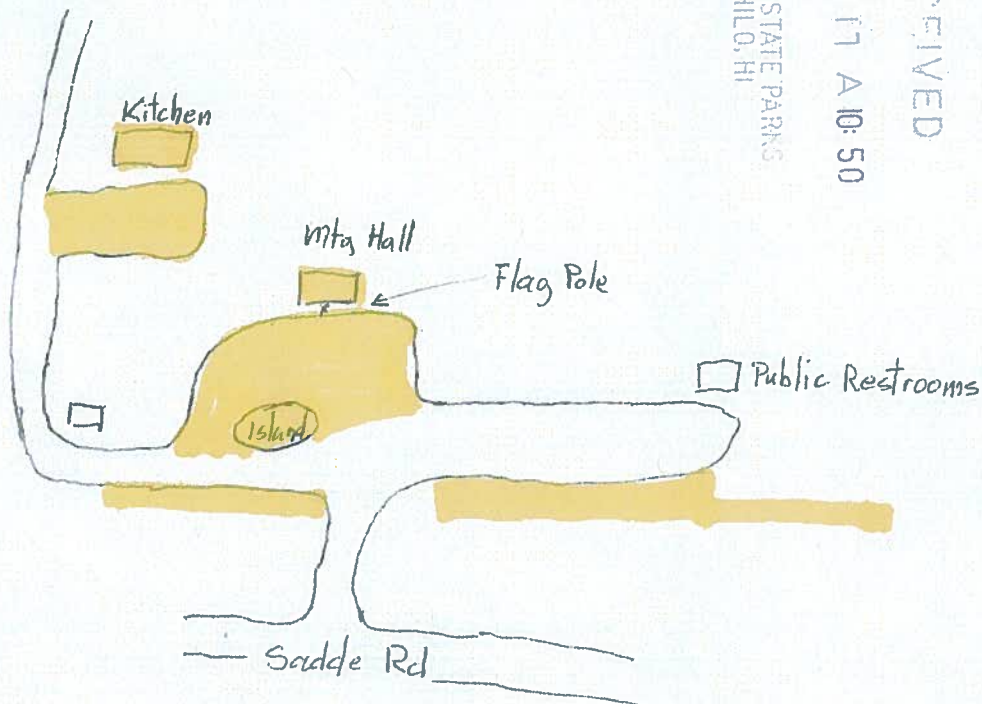
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DIV OF STATE PARKS
HILO, HI



On May 29, Sunday, we request use of the above highlighted areas at Mauna Kea State Park. We need the use of the kitchen for food prep. and the meeting hall/flag pole area for headquarters. The hi-lited parking areas will be used as in the past and the public use areas will be kept free for the public. We will be setting up on Sat., May 28. We will be responsible for all clean up.